

REMARKS

Claims 8-12, 15-19 remain in this application. Claims 9, 10 and 12 have been amended. Claims 1-7, 13, 14 and 20 have been canceled. Claims 21 and 22 have been added. No new matter has been added.

The Examiner has acknowledged that Claim 8 is directed to allowable subject matter.

ARGUMENTS

Regarding the rejections under 35 U.S.C. 112 ¶1, Applicant respectfully traverses the rejections. Illustrative nonexclusive examples of support for the claimed subject matter are found in the specification as follows:

Claim #	Claim Language	Locations	Support Language
11, 15, 16	an elongated length of first material	p.10, l. 14-15 p. 23, l. 21 (and several other text locations) Fig. 4, part 95 Fig. 9A blocks 318, 320	a movable eye marker loop 95
11, 15, 16	a length of second material	p. 10, l. 16 p. 23, l. 22	an eye marker horizontal slide band 96
11, 15, 16	an elongated length of first material <u>slidingly associated with</u> a length of second material	p. 10, l. 16 p. 23, l. 21-p. 24, l. 1 Fig. 4	a movable eye marker loop 95, preferably with two eyes 94 at the top of the movable eye marker loop 95, <u>slides along</u> an eye marker horizontal slide band 96
12	a plurality of three-dimensional images of pause points of different length associated with three-dimensional bumps to touch and stop eye movement left to right	p. 10, l. 3-22 Fig. 4 (part 84 upper left of Fig.) p. 23, l. 5-7	three-dimensional symbols (l. 5) pause points (l. 4); pause point count length regions 84 (l. 12); Pause Point Count Length 84 (Fig. 4) raised punctuation marks 88 (l. 10, 12) stop block symbols 86 (l. 21-22); rhythm of the counting that is done at each raised

Claim #	Claim Language	Locations	Support Language
			punctuation mark 88 and each stop block symbol 86 (p. 23, l. 5-7)
17	plurality of horizontal lines	p. 9 Figs. 3A, 3B, 4	sight or alignment lines 90 (l. 16) The sight lines 90 preferably include a set of three parallel lines. (l. 17-18)
19	visual depiction of a stylized eye	p. 10 p. 24 p. 24 Fig. 4	two eyes 94 (l. 15) eyes 94 (l. 14) the eyes 94 of the movable eye marker loop 95 (l. 20) eyes 94 (just up from middle of page)

Claim 11: “An elongated length of a first material” may be a “loop”. Applicant respectfully submits that the claimed subject matter is adequately disclosed under 112 ¶1. The combination of the specification (e.g., page 10, lines 14-15 and elsewhere) and Fig. 4 (see middle of drawing, the vertical rectangle) show an elongated length of material. Applicant has added new Claim 21 in which the movable eye marker is particularly claimed as a loop of material.

Applicant respectfully submits that Claims 11, 12, 15, 16, and 19 are allowable as having proper support in the specification. Claim 12 has been amended to properly refer to “said punctuation symbols” rather than “said punctuation marks.”

Claim 18: The Examiner has rejected Claim 18 as being dependent upon Claim 16. Support for the subject matter of Claim 16 has been shown hereinabove; therefore, Applicant respectfully submits that Claim 18 is now in condition for allowance.

Response to Rejections under Section 103

Claim 9 has been amended to incorporate the subject matter of Claim 1, and, to further clarify that the raised set of punctuation symbols are spaced across the page. Bell is cited (in combination with the other cited references) as disclosing a set of raised punctuation symbols. The invention of Bell is directed to a set of letter blocks that can be assembled to form three-dimensional shapes with little or no spaces between the block elements. Bell does not relate to apparatus for teaching dyslexic students by having a set of punctuation symbols spaced across a page. The principles involved in multi-sensory teaching of reading are absent in Bell. Rather, Bell relates to a method of making a predetermined shape from a plurality of preformed stylized letters. One viewing the other cited art would not look to a set of letter blocks which assemble to form a geometric shape as a possible solution to the problem of teaching dyslexic students the concept of punctuation symbols and their meaning. Bell does not address this issue and there is

no motivation to look to Bell to combine with the other references. Accordingly, the combination of Bell and the other cited references fails to define a *prima facie* case of obviousness of Claim 9 as presently presented.

Claim 10 has been amended to reflect the horizontal movement capability of the movable eye marker. Stewart discloses a motor-driven eye pacing device having a pacer bar 36 which scrolls vertically down the page and maintains a constant reading speed. A stated object of Stewart is to maintain constant pace and avoid stopping and starting. See Stewart, col. 1, lines 37-47; e.g., lines 37-40: "For a given control setting, the movement of the pacer bar maintains a constant rate during the reading cycle and will move rapidly through the return cycle if switched by the operator" (emphasis added). As such, Stewart teaches away from the present invention. Furthermore, there is no teaching, suggestion or motivation to modify the motor drive structure of Stewart to have an eye marker which tracks horizontally across the page and allows the user to move or stop the eye marker.

Therefore, Stewart, in combination with the other cited references, do not present a *prima facie* case of obviousness of Claims 10 and 11, as presently presented.

CONCLUSION

Applicant submits that the patent application is in condition for allowance and respectfully requests such action. If the Examiner has any questions that can be answered by telephone, please contact the patent attorney of record at the telephone number listed below.

Respectfully submitted,
POWELL GOLDSTEIN LLP

/Jason A. Bernstein/
Jason A. Bernstein
Reg. No. 31,236

One Atlantic Center, Fourteenth Floor
1201 West Peachtree Street, NW
Atlanta, GA 30309-3488
(404) 572-6900
(404) 572-6999 (fax)
jbernstein@pogolaw.com